

AMENDED IN SENATE MAY 30, 2000

AMENDED IN SENATE MAY 23, 2000

SENATE BILL

No. 1894

Introduced by Senator Peace

February 24, 2000

An act relating to the payment of claims against the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1894, as amended, Peace. Claims against the state: appropriation.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Existing statute establishes procedures for making that reimbursement and authorizes the Legislature to suspend a mandated program by not funding it in the State Budget for any fiscal year.

Existing law also requires the Controller, in the event that there are insufficient revenues to fund all of the state-mandated claims approved by the Controller, to report immediately this deficiency to the Legislature for additional appropriation, and requires that any additional appropriation include an amount necessary to reimburse any interest due to eligible claimants.

This bill would appropriate \$139,797,000 from the General Fund and the State Transportation Fund to the Controller. From the General Fund, \$29,580,000 would be allocated for

the payment of certain claims by local agencies and school districts for reimbursement for state-mandated local costs and from both the General Fund and the State Transportation Fund, \$110,182,000 would be allocated to pay for prior year deficiencies, including interest, thereon. From the Aeronautics Account in the State Transportation Fund, \$35,000 would be allocated to provide reimbursement to local agencies of costs incurred for the period of January 1, 1995, through June 30, 2001, for Airport Land Use Commissions/Plans.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The sum of one hundred thirty-nine
2 million seven hundred ninety-seven thousand dollars
3 (\$139,797,000) is hereby appropriated from the General
4 Fund, where a fund is not otherwise specified, and the
5 State Transportation Fund, where specified, to the
6 Controller for allocation as follows:

7 (a) Thirty-five thousand dollars (\$35,000) from the
8 Aeronautics Account in the State Transportation Fund
9 for the payment of claims from counties, cities, a city and
10 county, or other appropriately designated local
11 government entities, pursuant to Sections 21670 and
12 21670.1 of the Public Utilities Code, as amended by
13 Chapter 644 of the Statutes of 1994, Chapter 66 of the
14 Statutes of 1995, and Chapter 91 of the Statutes of 1995
15 (Airport Land Use Commissions/Plans), for costs
16 incurred from January 1, 1995, to June 30, 2001, inclusive.

17 (b) Four million five hundred eighty-seven thousand
18 dollars (\$4,587,000) for the payment of claims from
19 counties, or a city and county, pursuant to subdivisions
20 (e), (f), (g), (h), and (i) of Section 273.5 and Sections
21 1000.93, 1000.94, 1000.95, and 1203.097 of the Penal Code,
22 as repealed, added, or amended by Chapters 183 and 194
23 of the Statutes of 1992, Chapter 28 of the First

1 Extraordinary Session of the Statutes of 1994, and Chapter
2 641 of the Statutes of 1995 (Domestic Violence Treatment
3 Services--Authorization and Case Management), for costs
4 incurred from January 1, 1996, to June 30, 2001, inclusive.

5 (c) Seven hundred seventy-nine thousand dollars
6 (\$779,000) for the payment of claims from school districts,
7 except for community college districts, pursuant to
8 Section 51230 of the Education Code, as added by
9 Chapter 778 of the Statutes of 1996 (American
10 Government Course Document Requirements), for costs
11 incurred from January 1, 1997, to June 30, 2001, inclusive.

12 (1) Of the amount appropriated in this subdivision,
13 one hundred ninety-six thousand five hundred
14 seventy-two dollars (\$196,572) shall be appropriated from
15 the Proposition 98 Reversion Account.

16 (2) For the purposes of making the computations
17 required by Section 8 of Article XVI of the California
18 Constitution, five hundred eighty-two thousand four
19 hundred seventy-four dollars (\$582,474) of the amount
20 appropriated by subdivision (b) shall be deemed to be
21 "General Fund revenues appropriated for school
22 districts," as defined in subdivision (c) of Section 41202 of
23 the Education Code, for the 2000-01 fiscal year, and
24 included within the total allocations to school districts and
25 community college districts from General Fund proceeds
26 of taxes appropriated pursuant to Article XIII B of the
27 California Constitution and as defined in subdivision (e)
28 of Section 41202 of the Education Code, for the 2000-01
29 fiscal year.

30 (d) One million four hundred seventeen thousand
31 dollars (\$1,417,000) for the payment of claims from
32 counties, cities, a city and county, and special districts,
33 pursuant to Section 1797.192 of the Health and Safety
34 Code, as added by Chapter 1111 of the Statutes of 1989
35 and later renumbered as Section 1797.193 by Chapter 216
36 of the Statutes of 1990 (Sudden Infant Death Syndrome
37 Training for Firefighters), for costs incurred from July 1,
38 1990, to June 30, 2001, inclusive.

39 (e) Five hundred sixty-two thousand dollars
40 (\$562,000) for the payment of claims from counties, cities,

1 a city and county, and special districts, pursuant to
2 Sections 51175 to 51189, inclusive, of the Government
3 Code, and Sections 13108.5 and 13132.7 of the Health and
4 Safety Code, as added and amended by Chapter 1188 of
5 the Statutes of 1992, Chapter 843 of the Statutes of 1994,
6 and Chapter 333 of the Statutes of 1995 (Very High Fire
7 Hazard Severity Zones), for costs incurred from July 1,
8 1996, to June 30, 2001, inclusive.

9 (f) One million two hundred seventy-eight thousand
10 dollars (\$1,278,000) for the payment of claims from school
11 districts, except for community college districts, that are
12 adjacent to the international border, pursuant to Sections
13 48204.5 and 48204.6 of the Education Code, and Section
14 97.3 of the Revenue and Taxation Code, as added and
15 amended by Chapter 309 of the Statutes of 1995 (Pupil
16 Residency Verification and Appeals), for costs incurred
17 from August 3, 1995, to June 30, 2001, inclusive.

18 (1) Of the amount appropriated in this subdivision,
19 two hundred twelve thousand five hundred
20 twenty-seven dollars (\$212,527) shall be appropriated
21 from the Proposition 98 Reversion Account.

22 (2) For the purposes of making the computations
23 required by Section 8 of Article XVI of the California
24 Constitution, one million sixty-five thousand seven
25 hundred eighty-seven dollars (\$1,065,787) of the amount
26 appropriated by subdivision (b) shall be deemed to be
27 “General Fund revenues appropriated for school
28 districts,” as defined in subdivision (c) of Section 41202 of
29 the Education Code, for the 2000–01 fiscal year, and
30 included within the total allocations to school districts and
31 community college districts from General Fund proceeds
32 of taxes appropriated pursuant to Article XIII B of the
33 California Constitution and as defined in subdivision (e)
34 of Section 41202 of the Education Code, for the 2000–01
35 fiscal year.

36 (g) Twenty million nine hundred fifty-seven thousand
37 dollars (\$20,957,000) for the payment of claims from
38 school districts, except for community college districts
39 but including charter schools, pursuant to Sections
40 44332.6, 44830.1, 45122.1, 45125, and 45125.1 of the

1 Education Code, as added and amended by Chapter 588
2 of the Statutes of 1997, and Chapter 589 of the Statutes of
3 1997 (Criminal Background Checks—a.k.a. Michele
4 Montoya School Safety Act), for costs incurred from
5 September 30, 1997, to June 30, 2001, inclusive.

6 (1) Of the amount appropriated in this subdivision,
7 four million nine hundred fifty-five thousand dollars
8 (\$4,955,000) shall be appropriated from the Proposition
9 98 Reversion Account.

10 (2) For the purposes of making the computations
11 required by Section 8 of Article XVI of the California
12 Constitution, sixteen million two thousand dollars
13 (\$16,002,000) of the amount appropriated by subdivision
14 (b) shall be deemed to be “General Fund revenues
15 appropriated for school districts,” as defined in
16 subdivision (c) of Section 41202 of the Education Code,
17 for the 2000–01 fiscal year, and included within the total
18 allocations to school districts and community college
19 districts from General Fund proceeds of taxes
20 appropriated pursuant to Article XIII B of the California
21 Constitution and as defined in subdivision (e) of Section
22 41202 of the Education Code, for the 2000–01 fiscal year.

23 (h) One hundred ten million one hundred eighty-two
24 thousand dollars (\$110,182,000), *of which one million*
25 *nine hundred seventy-nine thousand dollars (\$1,979,000)*
26 *is appropriated from the State Transportation Fund and*
27 *one hundred eight million two hundred three thousand*
28 *dollars (\$108,203,000) is appropriated from the General*
29 *Fund*, for the payment of deficiencies in prior year
30 appropriations, which includes payment of interest on
31 those deficiencies, incurred through June 30, 2000,
32 pursuant to Section 17561.6 of the Government Code, as
33 detailed in the Controller’s letter to the Department of
34 Finance dated May 2, 2000, and the Department of
35 Finance’s letter to the Legislature dated May ~~14~~, 15, 2000.
36 This amount includes forty-seven million nine hundred
37 three thousand dollars (\$47,903,000) *from the General*
38 *Fund* for claims relating to the open meetings
39 requirements of the Ralph M. Brown Act (Chapter 9
40 (commencing with Section 54950) of Part 1 of Division 2

1 of Title 5 of the Government Code), and sixteen million
2 seven hundred fourteen thousand dollars (\$16,714,000)
3 *from the General Fund* for interest on late payments.

4 SEC. 2. This act is an urgency statute necessary for the
5 immediate preservation of the public peace, health, or
6 safety within the meaning of Article IV of the
7 Constitution and shall go into immediate effect. The facts
8 constituting the necessity are:

9 In order to settle claims by school districts and local
10 government agencies against the state for mandated costs
11 associated with implementing designated provisions of
12 law, and to end hardship to those school districts and local
13 government agencies, it is necessary for this act to take
14 effect immediately.

